IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 24964 of 2000

Between:

Giri Enterprises, Rep by its Prop; N.S. Girish,
R/o. Flat.No. 5, Rao Towers, Narasimhanagar,
Visakhapatnam.

..... PETITIONER

AND

1 The Telecom District Manager, Bharat Sanchar Nigam, Sanchar Bhavan,
Srikakulam District.
2 The Divisional Engineer (SBP), Office of The General Manager, Telecom
Disrtict., Visakhapatnam,
Visakhapatnam District.
3 The Commercial Tax Officer,
Dhabagardens, Visakhapatnam.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus, declaring the 2nd respondent's letter No. W-66/D(C)/Genl./98-99/24, dt. 7.6.2000 as illegal and arbitrary; and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.K.DURGA PRASAD

Counsel for the Respondent No.: MR.A.RAJASHEKAR REDDY (ASST.SOLICITOR GEN.)

The Court made the following :

O r d e r: (Per BRSR, J)

Sri K.Durga Prasad, learned counsel for the petitioner submits that the cause in this writ petition does not survive requiring any adjudication in the matter.

It is needless to observe that the interim order granted by this Court preventing the respondents from levying and collecting any tax shall stand merged into the final relief which means no relief is granted to the petitioner and enabling the respondents to proceed further in the matter in accordance with law.

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B.Sudershan Reddy, J.

8th June, 2005

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Ramesh Ranganatha, J.

grr

Copies to:

1. The Telecom District Manager, Bharat Sanchar Nigam, Sanchar Bhavan, Srikakulam District.
2. The Divisional Engineer (SBP), Office of The General Manager, Telecom Disrtict., Visakhapatnam, Visakhapatnam District.
3. The Commercial Tax Officer, Dhabagardens, Visakhapatnam.
4. Two spare copies.